

PROB 12C  
(7/93)

**United States District Court**  
**for**  
**District of New Jersey**  
**Petition for Warrant or Summons for Offender Under Supervision**

**Name of Offender:** Quadir Brown

**Docket Number:** 01-00114-001

**PACTS Number:** 29200

**Name of Sentencing Judicial Officer:** The Honorable William H. Walls, U.S.D.J.

**Date of Original Sentence:** 10/24/2001

**Original Offense:** Possession of Firearm by Convicted Felon

**Original Sentence:** 84 months imprisonment; 3 years supervised release.

**Type of Supervision:** supervised release

**Date Supervision Commenced:** 03/19/2007

**Assistant U.S. Attorney:** David Bocien, 970 Broad Street, Room 502, Newark, New Jersey 07102,  
(973) 645-2700

**Defense Attorney:** John Yauch, A.F.P.D., 972 Broad Street, 2<sup>nd</sup> Floor, Newark, New Jersey 07102,  
(973) 645-6347

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**PETITIONING THE COURT**

[X] To issue a summons

The probation office alleges that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	<p>The offender has violated the supervision condition which states '<b>You shall not commit another federal, state, or local crime.</b>'</p> <p>On December 1, 2008, Brown was arrested on Warrant # 2008-0004122-014 charging him with assault following a domestic dispute with his girlfriend, V.B. The assault took place on November 4, 2008.</p>
2	<p>The offender has violated the supervision condition which states '<b>You shall not commit another federal, state, or local crime.</b>'</p> <p>On October 15, 2008, Brown was arrested by officers of the Roselle Police Department after he was found to be in possession of marijuana, in violation of N.J.S. 2C:35-10(A)(4).</p>
3	<p>The offender has violated the supervision condition which states '<b>You shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.</b>'</p> <p>While under supervision, Brown associated with Vanessa Barrios. Barrios has a federal felony conviction for heroin importation.</p>

- 4 The offender has violated the supervision condition which states '**The defendant shall reside for a period of 6 months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall not be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.**'

On February 5, 2009, Brown's six month period of community confinement commenced at the Toler House Community Sanction Center. On March 12, 2009, Brown was unsatisfactorily discharged from Toler House for his failure to follow the center's rules and regulations.

- 5 The offender has violated the supervision condition which states '**You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.**'

On November 5, 2008, Brown signed a *Drug Use Admission* form indicating he used marijuana on November 1, 2008. On December 23, 2008, Brown signed a *Drug Use Admission* form indicating he used marijuana on November 25, 2008. On January 26, 2009, Brown submitted a urine specimen which subsequently tested positive for marijuana. In addition, Brown admitted to Toler House staff that he used marijuana on February 4, 2009, just prior to his entry into their facility.

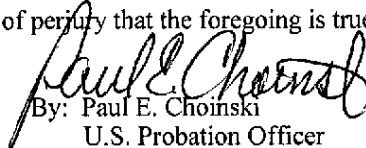
- 6 The offender has violated the supervision condition which states '**You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.**'

Throughout the term of supervision, Brown submitted *Monthly Supervision Reports* that contained false and fraudulent information. Specifically, Brown failed to indicate on those reports that he was having contact with convicted felon, Vanessa Barrios

- 7 The offender has violated the supervision condition which states '**You shall not commit another federal, state, or local crime.**'


On November 3, 2008, Brown was observed driving a green Honda. According to New Jersey Motor Vehicle Commission, Brown's driving privileges were suspended at that time.

I declare under penalty of perjury that the foregoing is true and correct.

  
By: Paul E. Choinski  
U.S. Probation Officer  
Date: 04/20/2009

THE COURT ORDERS:

- ☐ The Issuance of a Warrant  
☒ The Issuance of a Summons. Date of Hearing: 19 May 09  
☐ No Action  
☐ Other

  
Signature of Judicial Officer

29 April 2009  
Date

UNITED STATES DISTRICT COURT  
PROBATION OFFICE  
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY  
CHIEF PROBATION OFFICER

WILFREDO TORRES  
SENIOR DEPUTY CHIEF PROBATION OFFICER  
DEPUTY CHIEF PROBATION OFFICER  
THOMAS C. MILLER

April 21, 2009

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Martin Luther King, Jr. Federal Building  
& U.S. Courthouse  
50 Walnut Street, Room 2564  
P.O. Box 999  
Newark, N.J. 07102-0999

RE: U.S. v. Quadir Brown  
Dkt. No. 01-114-01  
Request for a Violation of Supervised  
Release Hearing & Issuance of a Summons

Dear Judge Walls:

On October 24, 2001, Quadir Brown was sentenced by Your Honor to 84 months imprisonment followed by a three year term of supervised release for being a convicted felon in possession of a firearm. While on supervised release Brown was to abide by the special condition of substance abuse treatment with urinalysis. On March 19, 2007, Brown was released from the custody of the Bureau of Prisons and his period of federal supervision commenced.

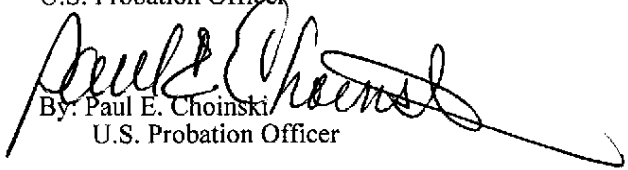
The purpose of this letter is to advise the Court of Brown's continued non-compliance with the conditions of his supervision since our last report to the Court dated December 4, 2008. As Your Honor is aware, in that correspondence, the probation office alleged that Brown violated several conditions of his supervision and petitioned the Court to modify Brown's supervised release to include a sanction of six months community confinement. On January 23, 2009, based upon a review of our office's petition, Your Honor agreed with the recommendation and signed a Probation Form 12B authorizing the modification.

Despite being afforded the benefit of community confinement, we allege that Brown continues to violate the conditions of his supervision and recommend a warrant be issued. According to the information received from Toler House staff on February 5, 2009, Brown's six month period of confinement at the community corrections center commenced, however, on March 12, 2009, he was unsatisfactorily discharged for his failure to follow the program's rules and regulations. In addition to that violation, we allege that Brown has engaged in new criminal conduct, used marijuana, associated with a convicted felon, drove an automobile with a suspended driver's license, and submitted false and fraudulent *Monthly Supervision Reports*.

The foregoing evidence of ongoing non-compliant behavior demonstrates Brown's complete disregard for the conditions of his supervision and the authority of the Court. Given the facts of this case it appears that a violation hearing is warranted at this time. In view of the cited instance of non-compliance, it is recommended that Your Honor issue a summons so that Brown can appear in Court to answer these charges and show cause why he should not be considered in violation of his term of supervised release. If Your Honor concurs with our recommendation, please sign the enclosed Probation Form 12C. If Your Honor requests an alternative course of action, please advise. We will make ourselves available should Your Honor wish to discuss this matter.

Respectfully submitted,

CHRISTOPHER MALONEY, Chief  
U.S. Probation Officer

  
By: Paul E. Choinski  
U.S. Probation Officer

Enclosure(s)

cc. David Bocien, A.U.S.A.  
John Yauch, A.F.P.D.